

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
SEPTEMBER 3, 2008 AT 4:00 P.M.  
CITY COUNCIL CHAMBERS, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Dave Fisher (President), Bryan Haza, Steve Ruble, Ann DeVore, Dennis Crider, Dave Bonnell, Dick Gaynor, John Hatter, Tom Wetherald and Tom Finke (County Plan Commission Liaison).

**Members Absent:** Roger Lang and Rachel Quisenberry.

**Staff Present:** Jeff Bergman, Heather Pope, Sondra Bohn, Emilie Pannell, Rae-Leigh Stark, Laura Thayer, Thom Weintraut and Alan Whitted (Deputy City Attorney).

**CONSENT AGENDA**

Minutes of the July 2, 2008 meeting.

Motion: Mr. Crider made a motion to approve the July 2, 2008 minutes. Ms. Devore seconded the motion and it carried unanimously by voice vote.

Minutes of the August 6, 2008 meeting.

Motion: Mr. Haza made a motion to approve the August 6, 2008 minutes. Mr. Gaynor seconded the motion and it carried unanimously by voice vote.

**OLD BUSINESS REQUIRING COMMISSION ACTION**

**RZ-08-08: Kennedy Rezoning** – a request by Bertha M. Kennedy to rezone a property of 2.4 acres from RMH (Manufactured Home Park) to CC (Community Commercial). The property is located on the northeast corner of Gladstone Avenue and State Street (State Road 46) in the City of Columbus. This request was referred to the Plan Commission by the City Council for consideration of modified rezoning conditions.

Mr. Bergman presented the staff information on this request. He stated that the Columbus City Council again considered the matter at the August 5, 2008 meeting. At that time, they considered the most recent recommendation from the Plan Commission and voted to again amend the modified rezoning condition. Mr. Bergman indicated that the City Council approved this with the following conditions: (1) Any new uses of the property, other than the existing mobile home park, shall be specifically exclude any and all vehicles access from State Street, (2) The land uses, as defined by the Columbus & Bartholomew County Zoning Ordinance, shall be prohibited: (a) communications service exchange, (b) utility substation, (c) water tower and (3) All primary structures shall be pedestrian-oriented with the majority of parking spaces provided (not less than 75%) being located behind the structure(s).

Mr. Mark Pratt with Breeden Inc. represented the petitioners.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Motion: Ms. Devore made a motion to approve the recommendation sent back from the City Council as presented. Mr. Ruble seconded the motion and it carried with a vote of 9-0.

Mr. Haza left the meeting due to a conflict of interest.

**RZ-08-11: Cummins Engine Company** – a request by Cummins Engine Company to rezone a property of 0.76 acres from RE (Established Residential) to CO (Professional Office). The property is located at 602, 630 and 634 Union Street in the City of Columbus.

Ms. Pannell presented the staff information on this request.

Mr. Todd Williams with Todd Williams & Associates, Tim Updike, Director of Facilities for Cummins and Terry Grow represented the petitioners.

Mr. Updike stated that Cummins is reaching a critical juncture for population, especially at the Cummins Engine Plant. He stated they are taking on a series of new businesses and are in the process of inserting those functions within the plant walls. Mr. Updike stated they are beginning to hire new employees and parking for the exiting facility is filled almost to capacity. He stated shift changes are a major concern. Mr. Updike stated they are trying to increase parking with additional space adjacent to Cummins and improvement to parking areas on land they already own.

Mr. Fisher asked what they were proposing for a buffer.

Mr. Williams stated that they would meet the landscaping requirements required by the Ordinance for a Buffer Yard Type B to be installed along the north and west property lines.

Mr. Updike stated the primary access to the parking lot would be off Union Street.

Mr. Gaynor asked how many additional parking spaces this lot would provide. Mr. Updike stated approximately 66 extra spaces.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Fisher stated that the vacation of the east and west alley is an important consideration. He stated the alley vacation passed on first reading at City Council and a second reading is required prior to any final approval.

Mr. Bergman stated that one of the issues is timing. He stated that the lot on the north side of the alley that used to have a residence located on it is approximately 6,000 square feet. He stated the minimum lot size by the Zoning Ordinance for the CO District is 10,000 square feet. Mr. Bergman stated if the alley were not vacated, there would be a question as to whether or not the lot on its own would be a viable property to be zoned CO. He stated the alley vacation and the rezoning are linked together.

Mr. Bergman stated that Cummins motivation is to add a parking lot; the CO District allows other uses also. this is the least intensive zoning district that would allow a parking lot. Mr. Bergman stated that this could be moved forward to the City Council with the understanding that if the alley vacation fails, then the intent would be for the zoning not to pass. He stated this could be resolved in a matter of weeks and both the rezoning and alley vacation should be on the agenda for the City Council at the same time.

Ms. DeVore asked if there had been any discussion about a parking garage at this location. Mr. Updike stated no.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council.

Motion: Ms. DeVore made a motion to send a favorable recommendation to the City Council. Mr. Wetherald seconded the motion and it carried with a vote of 8-0.

Mr. Fisher stated that the Plan Commission would give Mr. Bergman the authority to speak on behalf of the Commission to the City Council regarding the proposed alley vacation at this site be and to coordinate the timing of these two related requests. If the vacation is not approved, Plan Commission decision on the rezoning would be an unfavorable recommendation.

Mr. Haza returned to the meeting.

## **NEW BUSINESS REQUIRING COMMISSION ACTION**

**PP-08-03: Columbus Crossing 4th Replat Major Subdivision** – a request by Menard's Inc. to create 1 new lot for a total of 24 lots and 2 blocks equaling 154.39 acres. The property is located on the southwest corner of the intersection of State Road 46 and Morgan Willow Trace in the City of Columbus.

Ms. Stark presented the staff information on this request.

Mr. Rik Sanders with E.R. Gray & Associates and Jonathan Evans with Evans Engineering represented the petitioners.

Mr. Sanders stated that they have requested a modification from the City of Columbus Subdivision Control Ordinance for relief from the limitation of only four lots on an access easement. He stated the access areas and roads were constructed larger to accommodate any kind of development in this PUD. Mr. Sanders requested that the modification be granted.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against the request.

Mr. Fisher closed the meeting to the public.

Mr. Fisher stated that staff has informed the Commission that there are landscaping issues with the original Menards's PUD. He stated that at the October 2007 Plan Commission meeting there was discussion of landscaping that had not survived or had been removed from the site. Mr. Fisher stated that Menards had assured the Commission that this would be taken care of immediately. Mr. Fisher stated that has not happened and asked staff to explain this in more detail.

Mr. Bergman stated that in the October 2007 meeting, part of the discussion was that Menards would address the landscaping issues at the time completed the modification on their strip site. He stated that construction is underway now and this would be a good time to address the landscaping issues. Mr. Bergman stated there were approximately 200 trees missing and was not sure if Menards realized the scope of the problem. He stated there was a commitment made by Menards for this development and the expectation is that they would maintain the landscaping in the PUD.

Mr. Haza asked if this included the entire development. Mr. Bergman stated yes. Mr. Haza stated it was his opinion that the landscaping issue should be addressed at this meeting.

Mr. Bergman stated that this is landscaping that was suppose to be as street trees, street landscaping, landscaping around the detention pond, and at the base of the sign that faces Interstate 65. He stated it would not affect the development of any individual lot that has already been purchased.

Mr. Bonnell asked if the landscaping had been installed and did not survive. Mr. Bergman stated it has died and they have not replaced it.

Mr. Wetherald stated that new landscaping should be installed and it was his opinion that the trees should be replanted. He stated that Menards should be reminded of the commitment they made at the October 2007 meeting.

Mr. Haza stated it was important that Menards be contacted and advised of what is expected at this site concerning landscaping.

Ms. DeVore stated it was her opinion that this should have been taken care of within two months after the initial contact in October 2007.

Mr. Bergman stated that Menards had promised to address the landscape issue as part of their construction project that is on- going now. He stated that the construction was expected to take place last year, but was delayed until 2008.

Mr. Ruble stated given the fact that Menards is just now starting the construction it would be appropriate to contact them and remind them of their commitment they made at the October 2007 meeting. He stated withholding a signature on a plat would be sufficient to make sure the landscaping is installed.

Mr. Sanders stated that there were delays in starting the construction that Menards had planned

to start in 2007. He stated he was aware of the landscaping issues and had spoken with Tom O'Neil with Menards regarding the replacement of the trees. Mr. Sanders stated that he was assured by Mr. O'Neil that this would be taken care of when the construction on Menards was completed.

Mr. Bergman stated that at next month's Plan Commission there would be a site plan for review on one of the new lots that has been created. He stated that they would have to come before the Plan Commission next month that there is some time before this plat would need to be recorded to have some communication with Menards.

Mr. Evans stated it was important for his client to move forward with this request, as time was critical for them.

Mr. Bergman stated that staff did not have any issues with the number of lots on the access easement or the addition of this lot as it relates to the development. He stated a commercial developer is going to do the best they can to lay out lots of reasonable size for development. Mr. Bergman stated staff would recommend the replat be approved and direct the staff to make contact with Menards regarding the landscaping issue and when it would be corrected.

Motion: Mr. Bonnell made a motion to approve this request contingent on the following: (1) Submittal of a approved landscape plan to replace all dead or missing landscaping/trees within the Columbus Crossing Planned Unit Development and if not corrected properly to withhold Mr. Bergman's signature from the plat, and (2) Relief from the Subdivision Control Ordinance to allow 9 lots using an access easement. Mr. Haza seconded the motion and it carried with a vote of 9-0.

## **DISCUSSION ITEMS**

### **October Joint City-County Plan Commission Meeting**

Mr. Bergman stated there would be a Joint City-County Meeting in October 2008. He stated it would be regarding the new Zoning Ordinance and issues that may have been created by the adoption of the new Zoning Ordinance. He stated they would also be discussing any revisions that the Plan Commission would like to consider based on the experiences of the last six months. It was decided by the Commission that some time in the evening would be best and a date would be announced later.

## **DIRECTOR'S REPORT**

### **2008 OKI Regional Planning Conference**

Mr. Bergman announced there was a Regional Planning Conference with Ohio, Kentucky, and Indiana, and stated it would be held this year in Louisville, Kentucky, October 15-17. Mr. Bergman encouraged all Plan Commission members to attend. He stated there were many different sessions that would be helpful to them in their role as Plan Commission members.

Ms. Pope stated there would be a Nitty Gritty Workshop November 17, 2008 in the Meeting Hall. This workshop is intended specifically for Plan Commissioners and Board of Zoning Appeals Members.

**LIASION REPORT**

**ADJOURNMENT: 5:30 P.M.**

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**David L. Fisher, President**

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**Steven T. Ruble, Secretary**